

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*Serial No:* 10/696,042  
*Examiner:* Rampuria, S.  
*Art Group:* 2617  
*Reference No.:* CE00532UM  
*Appn. Filed:* October 29, 2003  
*Applicants:* Benson, M., et al.

*Title:* Method and Apparatus for Establishing Direct Communication for  
Mobiles in a Radio Communication System

February 9, 2009

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
Box: Amendment

Sir:

This amendment is being filed following the filing of an Appeal Brief, which was filed August 30, 2007, to which an Examiner's Reply Brief was filed December 14, 2007, and which was docketed for the Board on January 13, 2009. As Applicant wishes to withdraw this case from Appeal and to make different arguments to the Examiner with respect to the claims, as well as to make minor amendments of form to independent claims 5, 14, and 17, this amendment accompanies a Request for Continued Examination and the appropriate fee. In view of the remarks herein, Applicant respectfully requests reconsideration of the above-identified patent application.